

BOARD OF APPEALS
JULY 9, 2018 - 4:00 P.M.

Members Present: Bob Pierson, Jane Hansen and Sarah Mellerud

Others Present: Tanya Batchelor, Dan Licht, Beth Thompson and Jeremy Wilson

The meeting of the Board of Appeals was called to order by Jane Hansen.

Roll call was taken.

Bob Pierson moved to adopt the agenda as presented, seconded by Sarah Mellerud and carried.

Bob Pierson moved to approve the minutes from the previous Board of Appeals meeting on September 22, 2015, seconded by Bob Sarah Mellerud and carried.

Election of Chairman

Sarah Mellerud nominated Jane Hansen for chairman. Sarah moved to close nominations and cast a unanimous ballot for Jane Hansen for chairman, seconded by Bob Pierson and carried.

Public Hearing

Jane Hansen declared the Public Hearing open to consider the following:

- a) A petition for Variance from Jeremy Wilson to allow encroachment of 7.27 feet into the required 20 foot rear yard setback for construction of an elevated deck onto the rear of the principal building. Property is located at 1323 Osprey Court and described as: FKA PAPERJACK CREEK TOWHHOME COMMUNITY LOT 5 INCLUDES PT OUTLOT 1; NKA PAPERJACK CREEK VILLAS (07) LOT 25

Dan Licht explained that a 20 foot setback is required in this location. The house setback is 24.73 feet from the rear lot line. The deck Jeremy would like to build is 12 feet deep and would encroach 7.27 feet into the setback. A 12 foot deck would be set back 12.73 feet from the rear lot line. Staff recommended denial of the variance request because the variance request does not demonstrate an undue hardship justifying approval according to the criteria established by the Zoning Ordinance. Variance criteria include exceptional circumstances that apply to the lot, and conditions that are unique to the lot, need is not based only on economic reasons. Approval will not threaten public health safety and welfare and approval is consistent with the intent of the Zoning Ordinance. Discussion followed. Staff reviewed options for possible limitations to keep the deck within eight feet of the property line which would be consistent with the previous deck that was approved. Jane Hansen declared the Public Hearing closed.

Sarah Mellerud moved to deny the variance request because the hardship requirements have not been met and the intent of the zoning ordinance has not been met, seconded by Jane Hansen and carried. Bob Pierson voted no.

Bob Pierson moved to adjourn the meeting, seconded by Sarah Mellerud and carried.

Meeting adjourned at 4:20 p.m.

Tanya Reigel
City Clerk